

## **MITIGATION MONITORING PROGRAM**

This document is a Mitigation Monitoring Program for the proposed Codornices Creek Improvements Plan. The City of Albany must adopt this Mitigation Monitoring Program, or an equally effective program, if it approves the proposed project with the mitigation measures included in the Initial Study/Mitigated Negative Declaration. Public Resources Code sec. 21081.6(a) requires an agency to adopt a program for reporting or monitoring mitigation measures that were adopted or made conditions of project approval.

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**SUMMARY OF MITIGATION MEASURES AND MONITORING PROGRAM FOR THE CODORNICES CREEK IMPROVEMENTS PLAN**

Mitigation Measures	Party Responsible for Implementation	Implementation Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency
<b>AIR QUALITY</b>					
<p><u>AIR-1:</u> The following dust control practices shall be followed during the construction phase of the project:</p> <ul style="list-style-type: none"> <li>♦ Water all active construction areas at least twice daily and more often during windy periods. Watering is the single-most effective measure to control dust emissions from construction sites. Proper watering could reduce dust emissions by over 75 percent. Use of reclaimed water is preferred.</li> <li>♦ Cover all hauling trucks or maintain at least 0.6 meters (2 feet) of freeboard. Dust-proof chutes would be used as appropriate to load debris onto trucks during any demolition.</li> <li>♦ Pave, apply water three times daily, or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction sites. Use of reclaimed water is preferred.</li> <li>♦ Sweep (with water sweepers) all paved access roads, parking areas, staging areas and affected streets with water sweepers daily if visible soil material is deposited onto the adjacent roads.</li> <li>♦ Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles.</li> <li>♦ Limit traffic speeds on any unpaved roads to 15 mph (25 km per hour).</li> <li>♦ Install sandbags or other erosion control measures to prevent silt runoff to public roadways.</li> </ul>	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department, Environmental Resources Department	Review of construction specifications, Ongoing Site Inspections	Weekly during construction and in response to any complaints

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AIR-1 (continued): ♦ Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. ♦ If necessary, install windbreaks, or plant trees/vegetative wind-breaks at the windward side(s) of construction areas. ♦ Suspend excavation and grading activity when sustained winds exceed 25 mph (40 kilometers per hour) and visible dust emission cannot be prevented from leaving the construction site(s). ♦ Limit areas subject to disturbance during excavation, grading, and other construction activity at any one time. ♦ Do not allow equipment to idle; shut off equipment when not in use.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department, Environmental Resources Department	Review of construction specifications, Ongoing Site Inspections	Weekly during construction and in response to any complaints
<b>BIOLOGICAL RESOURCES</b>					
<u>BIO-1:</u> Participating agencies shall be encouraged to support a voluntary “adopt a stream” program to regularly patrol Codornices Creek and discourage illegal fishing, harassment, and take of steelhead. Patrols on a frequent basis would serve to further educate visitors and discourage illegal activities.	Cities of Albany and Berkeley, UC Berkeley	Upon approval of project and seasonally after project construction is complete	Recreation and Community Services Department	Authorization of “adopt-a-stream” program	Once and seasonally after project construction is complete

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<u>BIO-2:</u> An incidental take permit must be secured through consultation with the National Marine Fisheries Service (NMFS) for impacts on steelhead. As a condition to the biological opinion for the incidental take permit, all juvenile steelhead and as many of the native fish as possible shall be collected by a service-approved fisheries biologist and transported out of the construction area for each phase of the creek improvement project. As fish are moved from an area of the stream, it shall be blocked off with nets to prevent fish from entering the work areas until construction has been completed. Details of the capture and translocation effort shall be documented in a Relocation Plan to be submitted to the NMFS for approval. The Relocation Plan shall employ the best available methods to ensure successful collection and minimize any inadvertent loss of steelhead or other native fish.	Project Proponent, Contractor and approved biologist	Prior to approval of grading permit	Planning Department, NMFS, Environmental Resources Department	Granting of incidental take permit, site inspections during construction phase	Once upon approval of permit, weekly during construction

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BIO-3: Preconstruction surveys for individual western pond turtle shall be conducted by a qualified biologist before initiation of any channel modifications and after installation of the recommended construction barriers designed to prevent movement of fish into the construction zone. The construction barriers shall prevent passage of both fish and turtles into the construction zone, with exclusionary fencing extending up the channel banks. The exclusionary fencing shall be buried at least six inches below and extend at least two feet above grade. It shall remain in place throughout the construction phase for each segment affected by the project. Any turtles found within the creek segment where construction is proposed shall be relocated by the qualified biologist to a secure stretch of the creek with adequate pool habitat and protective cover.	Project Proponent, Contractor and qualified biologist	Prior to approval of grading permit	Planning Department, Building Department	Review and approval of construction plans	Once upon approval of permit, weekly during construction if barriers are required
BIO-4: Preconstruction surveys for possible raptor nests shall be conducted by qualified biologists no more than 30 days prior to initiation of construction along any of the drainage segments in the study area. If any active nests are encountered, appropriate construction restrictions shall be developed in consultation with the CDFG to prevent take or abandonment of the active nest until young have fledged.	Project Proponent and qualified biologist	Prior to approval of grading permit	Planning Department, CDFG, Building Department	Review and approval of construction plans	Once upon approval of permit, weekly during construction if barriers are required
BIO-5: In-stream rootwads shall be provided in the restored channel. Prior to grading, existing trees that are a minimum of 12 inches in diameter shall be selected and clearly marked. Selected trees will be salvaged as rootwads a minimum of 15 inches long in order to provide immediate habitat replacement.	Project Proponent and qualified hydrologist and/or arborist	Prior to approval of grading permit, during construction	Planning Department, Building Department	Approval of grading permit	Once

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BIO-6: Proposed improvements shall be coordinated with representatives of the Corps, Regional Water Quality Control Board, and CDFG, and required authorization obtained prior to any modification to jurisdictional wetlands and waters. Conditions may be required by jurisdictional agencies to protect sensitive wetland resources and provide appropriate mitigation. These include implementation of proposed restoration and enhancement plans, implementation of adequate erosion and sedimentation control measures, and possibly other measures.	Project Proponent	Prior to approval of grading permit	Corps, RWQCB, CDFG, Planning Department, Building Department, Environmental Resources Department	Review and approval of required permits	Once
BIO-7: If a previously unknown Coast Live Oak, with a single-stem circumference of 18 inches or more, or an aggregate trunk circumference of 26 inches or more, at a distance of four feet up from the ground, are encountered within the construction zone on the south side of Codornices Creek during construction, work in the area surrounding the tree shall stop until the tree is fenced or otherwise protected, and the grading and construction plans for the creek restoration shall be revised to include the preservation the tree.	Project Contractor	City of Berkeley shall conduct a site inspection prior to approval of grading permit	City of Berkeley Parks, Recreation and Waterfront Department	Ongoing site inspections	Once prior to approval of construction permit and in response to discovery of any Coast live oak
<b>CULTURAL RESOURCES</b>					
<u>CUL-1</u> : If previously unknown archaeological resources or suspected archaeological resources (including human remains) are encountered during construction, all work on the site shall be stopped and an archaeologist approved by the City shall be called to inspect the finds. The recommendations of this archaeologist with regard to on-site preservation, recovery and/or documentation of the resources shall be implemented before construction recommenced.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspections	Weekly during construction and in response to any discoveries

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CUL-2: If paleontological resources are encountered during construction, all work in the immediate vicinity of the find shall be halted and the proper authorities shall be notified.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of grading permit, Ongoing site inspections	Weekly during construction and in response to any discoveries
CUL-3: If previously unknown human remains are encountered during construction, an appropriate representative of Native American groups and the County Coroner shall be informed and consulted, as required by State law.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspections	Weekly during construction and in response to any discoveries
<b>GEOLOGY AND SOILS</b>					
GEO-1: Throughout project construction, the applicant shall follow up to date erosion control measures appropriate to this site. These measures derive from the California Stormwater Best Management Practice Handbooks (Camp, Dresser, and McKee, March 1993) and the Erosion and Sediment Control Field Manual (California Regional Water Quality Control Board, July 1999).	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department, Environmental Resources Department	Approval of construction permit, Ongoing site inspections	Weekly during construction and in response to any complaints
<b>HAZARDS AND HAZARDOUS MATERIALS</b>					
HAZ-1: Conduct a Phase II Environmental Site Assessment consistent with Clayton Environmental Consultants' Phase I report.	Project Proponent	Prior to approval of grading permit	Planning Department	Review of completed Phase II Environmental Site Assessment	Once



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<u>HAZ-2:</u> If the grading and excavation of the proposed project uncovers a substantial amount of soils that appear to be non-native or consist of industrial debris, work shall cease in that location until the soil is removed. These soils shall be stored safely until they can be tested by a qualified individual. Any contaminated soil uncovered during the construction of the project shall be removed and disposed of in accordance with all applicable laws and regulations.	Project Proponent and Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspections	Weekly during construction and in response to any discoveries
<u>HAZ-3:</u> A contingency plan shall be formulated for construction and grading activities to require testing of any materials encountered during grading and digging operations that are suspected to be hazardous. An onsite, specified contractor shall observe excavated materials at all times during excavation and grading of sites which may contain hazardous waste. Observation practices would serve to ensure that in the event hazardous waste is unexpectedly encountered, it is recognized as hazardous waste and handled properly. The plans shall include sampling and assessment of results by a qualified individual to determine if suspicious materials are of concern.	Project Proponent, Contractor and qualified hazardous materials specialist	Prior to approval of construction permit and during construction	Planning Department	Review and approval of contingency plans, ongoing site inspections	Once upon approval of construction permit and weekly during construction
<b>HYDROLOGY AND WATER QUALITY</b>					
<u>HYDRO-1:</u> In order to prevent erosion, bioengineering or other methods shall be implemented. Appropriate techniques would include rock toe reinforcement, vegetated geogrids, brush mattresses and live fachines that would revegetate quickly and compensate for excessive stream energy.	Project Proponent and Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Review and approval of final construction plans	Once upon approval of construction permit and weekly during construction

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<u>HYDRO-2:</u> WRI shall develop a sediment removal plan to address sedimentation impacting creek function behind the Eighth Street, Sixth Street, and UPRR culverts. The City of Albany shall then work with the City of Berkeley, the University of California and regulatory agencies to determine the most effective way to implement the sediment removal plan.	Project Proponent and Contractor	Prior to approval of grading permit	Planning Department and regulatory agencies	Review and approval of sediment removal plans	Once, prior to start of rainy season in October
<u>HYDRO-3:</u> The minimum height of the berms or walls behind the Sixth and Eighth Street culverts shall be designed to minimize the risk of flooding during a 100-year event.	Project Hydrologist and Contractor	Prior to approval of grading permit	Planning Department	Review and Approval of final construction plans and final site inspection	Once upon approval of construction permit, again after construction is complete
<b>NOISE</b>					
<u>NOISE-1a:</u> Limit construction activities to daytime hours (8:00 a.m. to 6:00 p.m. on Monday through Saturday and 10 a.m. to 6 p.m. on Sundays and holidays).	Project Proponent and Contractor	Hours shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspections	Once upon approval of construction permit and in response to any complaints
<u>NOISE-1b:</u> Use available noise suppression devices and properly maintain and muffle loud construction equipment.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspection	Once upon approval of construction permit and weekly during construction
<u>NOISE-1c:</u> Avoid staging of construction equipment and unnecessary idling of equipment within 200 feet of noise-sensitive land uses.	Project Contractor	Practices shall be written into construction specifications and followed during construction	Planning Department, Building Department	Approval of construction permit, Ongoing site inspection	Once upon approval of construction permit and weekly during construction